IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE SE/Corner Frederick and Locust

* DEPUTY ZONING COMMISSIONER (1005 Frederick Road) * OF BALTIMORE COUNTY 1st Election District 1st Councilmanic District

Ten O'Five Frederick, Inc. Petitioner

* * * * * * * * * *

* Case No. 92-4-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve an extension of the time for utilization of the special exception granted in prior Case No. 89-116-XA on June 21, 1989, and as amended on July 13, 1989, for a Class B Office Building, as more particularly described on Petitioner's Exhibit 2.

The Petitioner, by David G. Kaufman, President, appeared, testified and was represented by F. Vernon Boozer, Esquire. Also appearing on behalf of the Petitioner was Charles Crocken, a Registered Professional Appearing as Protestants in the matter were John A. and Sally B. Cook, Florence E. Rotan, Lisa Schmale, Thomas A. Andersen, and James W. Mohler on behalf of Catonsville 2000, Inc. Also appearing and entering his appearance on behalf of People's Counsel for Baltimore County was Peter Max Zimmerman, Esquire.

Testimony indicated that the subject property, known as 1005 Frederick Road, consists of 0.76 acres more or less, split zoned R.O. and D.R. 5.5, and is the proposed site for a Class B office building as set forth on Petitioner's Exhibit 2. The Petitioner offered testimony through Mr. Charles Crocken concerning the reason for the delay in commencing construction of the proposed building on the subject property. Mr. Crocken testified that over the past 14 months, he has been working diligently to satisfy the various requests of the different Baltimore County agencies in approving this project, particularly involving the storm water management plan. He testified that the plan has been revised on numerous occasions to address the concerns raised by the County each time the plan was submitted for review. Mr. Crocken testified that the Petitioner has been working diligently to satisfy all requests made by the County and that as a result of attempting to satisfy the County's concerns, Petitioner has been delayed in utilizing the special exception. He testified that the circumstances surrounding this particular site location remain consistent with that which existed at the time of the prior hearing.

The Protestants who appeared and objected to the relief requested at the original hearing, also appeared and indicated their opposition to the requested extension. The Protestants believe the proposed office building will adversely impact parking in the surrounding community.

Peter Max Zimmerman, Deputy People's Counsel, argued that the Deputy Zoning Commissioner is without authority to grant the requested extension of time for utilizing the special exception in this case. I disagree with Deputy People's Counsel on this point. Section 502.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) grants the authority to this office to allow for an extension of time for the utilization of a special exception.

Deputy People's Counsel also argued that the regulations have changed concerning the R.O. zone and the number of parking spaces that would be required for the proposed project. It was uncontradicted that the regulations have indeed changed since the passage of the amended Order by the then Deputy Zoning Commissioner, Ann M. Nastarowicz, on July 13, 1989. Mr. Zimmerman made the argument that the Petitioner must now comply

- 2-

with the current regulations as they affect the use of the subject property. Again, I disagree with Mr. Zimmerman's argument. My interpretation of Section 502.5 of the B.C.Z.R. and other applicable provisions is that the Petitioner must comply with the appropriate provisions of the B.C.Z.R. and the zoning classification of the property in effect at the time the special exception was granted by Ms. Nastarowicz in 1989. Therefore, the Petitioner does not have to comply with the regulations in effect today.

Based upon the testimony presented, it is clear that the reasons for the delay in utilizing the special exception granted was as a result of the Petitioner having to satisfy the many requests made by Baltimore County. It was equally clear that the Petitioner has been proceeding with diligence in an effort to obtain his building permits for this particular site. In the opinion of this Deputy Zoning Commissioner, there was no evidence presented that the plans for this Class B office building have ever been abandoned. Therefore, the Petitioner's request for an extension of time in which to utilize the special exception should be granted.

After due consideration of the testimony and evidence presented. it is clear that practical difficulty or unreasonable hardship would re-the opinion of this Deputy Zoning Commissioner, an extension of one year From the date of this Order is sufficient time for Petitioner to commence utilization of the special exception granted in Case No. 89-116-XA. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

- 3-

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this X/ day of September, 1991 that the Petition for Special Hearing to approve an extension of the time for utilization of the special exception granted in prior Case No. 89-116-XA on June 21, 1989, and as amended on July 13, 1989, for a Class B Office Building, in accordance with Petitioner's Exhibit 2, be and is hereby GRANTED, and,

IT IS FURTHER ORDERED that utilization of the special exception granted in Case No. 89-116-XA shall be extended until one year from the date of this Order, and,

IT IS FURTHER ORDERED that all other conditions and restrictions contained in the Order issued on June 21, 1989, and as amended on July 13, 1989 in Case No. 89-116-XA, shall remain in full force and effect.

- 4-

CHARLES R. CROCKEN & ASSOCIATES, INC.

Civil Engineering • Land Planning P.O. BOX 307

WESTMINSTER, MARYLAND 21157

DESCRIPTION OF 0.76 AC. PARCEL OF LAND SITUATE ON

THE SOUTHEAST CORNER OF THE INTERSECTION OF LOCUST

Beginning for the same at the intersection of the

eastern most right of way line of Locust Drive, a public road, 34

Rd., a public road 60 feet wide, Thence running with and binding

feet, thence S 16°22'00" E 170.00 feet, thence N 74°25'00" E, 63.00

feet, to an iron pipe found, thence S 16°22' 00" E 123.76 feet,

thence S 73°23'40" W 137.19 feet, to a point on the eastern most

right of way line of Locust Drive, thence running with and binding on said right of way line with a curve to the right, having a

radius of 2366.00 feet for a distance of 297.09 feet subtented by

Frederick Road, Inc. a Maryland Corporation, and recorded in the

Containing 33,105 s.f. (0.76 ac.) of land more or less

Being all of that parcel of land conveyed unto 1005

chord N 19°38'00" W 296.92 feet to the point of beginning.

land records of Baltimore County in Liber 7491, Folio 707.

on aforesaid right of way line of Frederick Rd. N 74°25'00" E. 91.12

feet wide and the southern most right of way line of Frederick

DRIVE AND FREDERICK ROAD IN THE FIRST ELECTION

DISTRICT OF BALTIMORE COUNTY

TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

TMK:bjs

Baltimore County Government **Zoning Commissioner** Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

RECEIVED FOR

September 27, 1991

887-3353

F. Vernon Boozer, Esquire 614 Bosley Avenue Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING SE/Corner Frederick and Locust Roads (1005 Frederick Road) 1st Election District - 1st Councilmanic District Ten O'Five Frederick, Inc. - Petitioner Case No. 92-4-SPH

Dear Mr. Spence:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Pétition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

leuthy Kotrow TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

cc: Mr. & Mrs. John A. Cook 8 Locust Drive, Baltimore, Md. 21228

> Ms. Florence E. Rotan 6 Sanford Avenue, Baltimore, Md. 21228

Ms. Lisa Schmale 15 Locust Drive, Baltimore, Md. 21228

Mr. Thomas A. Andersen 10 Locust Drive, Baltimore, Md. 21228

Mr. James W. Mohler, Catonsville 2000, Inc., 2 W. Rolling Crossroads, Suite 203, Catonsville, Md. 21228 People's Counsel; File

Towson, MD 21204 City and State Attorney's Telephone No.: ORDER RECEIVED FOR FILING MON./TUES./WED. - HEXT TWO MONTHS

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County 92-4-5PH The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an extension of the time for utilization of the special exception granted in Case No. 89-116-XA on June 21, 1989, and as amended on July 13, 1989.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon fli-ing of this Petition, and further agree to and are to be bound by the zoning regulations and restric-tions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

City and State

Attorney for Petitioner:

-F. Vernon Boozer/Anti

614 Rosley Avenue

I/We do solemnly declare and affirm, under the penalties of perjury, that L/we are the legal owner(s) of the property SW3F which is the subject of this Petition.

	,
	Legal Owner(s):
	Ten O'Five Frederick, Inc. 7-21-92 (Type or Print Name)
**************	By: Oavel Kaufman, Tresident
	(Type or Print Name)
******	Signature
bony J. DiPaula	40A7 Ridge Road \$76 2392 Address Phone No.
****************	Westminster, MD 21157 City and State
	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted
******	Charles R. Crocken Name
828-9441	902 Lee Ave., Sykesville, MD 549-2708 Address 21784 Phone No.
	PETTMATER I MARKET ON TRANSPORT

::::::: ENTRY OF APPEARANCE

RE: PETITION FOR SPECIAL HEARING

lst Election District

Petitioner

SE Corner Frederick & Locust

Rds. (#1005 Frederick Rd.)

lst Councilmanic District

TEN O'FIVE FREDERICK, INC.,

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Friedman People's Counsel for Baltimore County

> > Peter Max Zimmerman Deputy People's Counsel Room 304, County Office Building Towson, Maryland 21204

> > > and the same and t

BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

: Case No. 92-4-SPH

I HEREBY CERTIFY that on where September 16, 1991, a copy of the foregoing Entry of Appearance ************************ will be hand delivered to Attorneys for Petitioner, F. Vernon Boozer, Esquire & Anthony J. DiPaula, Esquire, 614 Bosley Ave., 21204, at the zoning hearing to be held this date.

CERTIFICATE OF POSTING

Heliar Thomas 21 Five Frederich INC In front of 1005 Forunt Driger

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on $\frac{\delta}{2}$

887-3353

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

Towson, MD 21204

IPLY 15, 1991

111 West Chesapeake Avenue

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 92-4-SPH SEC Frederick and Locust Roads 1005 Frederick Road 1st Election District - 1st Councilmanic Petitioner(s): Ten O'Five Frederick, Inc. HEARING: MONDAY, SEPTEMBER 16, 1991 at 11:00 a.m.

Special Hearing to approve an extension of the time for utilization of the special exception granted in Case No. 89-116-XA on June 21, 1989, and as amended on July 13, 1989.

Zoning Commissioner of Baltimore County

uc: Ten O'Five Frederick, Inc. F. Vernon Boozer/Anthony J. DiPaula Charles R. Crocken

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was publish-

ed in the CATONSVILLE TIMES, a weekly newspaper published in

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

September 3, 1991

887-3353

Anthony J. DiPaula, Esquire 614 Bosley Avenue Towson, MD 21204

> RE: Item No. 4, Case No. 92-4-SPH Petitioner: Ten O'Five Frederick, et al Petition for Special Hearing

Dear Mr. DiPaula:

111 West Chesapeake Avenue

Towson, MD 21204

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Chairman

Zoning Plans Advisory Committee

Enclosures

cc: Mr. David G. Kaufman Ten O'Five Frederick, Inc. 4047 Ridge Road Westminster, MD 21157

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

AND THE SECOND CHARGE THE SECOND SECTION OF

111 West Chesapeake Avenue Towson, MD 21204

Zoning Commisioner

FEBLIC HEARING FEES

040 -SPECIAL MEARING (STHER)

LAST MADE OF GROEN, IFN C HAVE PRELER

Baltimore County
Zoning Commision
County Office Building

Zoning Commisioner County Office Building

111 West Chesapeake Avenue

Towson, Maryland 21204

7,02,91

887-3353

Your petition has been received and accepted for filing this 16th day of July, 1991.

Account: R-001-6150 Number

H9200004

\$175.00

. 04AU+#70A7MLCHRC

SA CO111_BAND - 15 71
Please Make Checks Payable To: Baltimore County

PRICE

\$175.00

04A04#0129NICHRC

| FOTAL: | \$175.00

1. X

Please Make Checks Payable To: Baltimore & Durky 11:44AM07-02-91

Petitioner: Ten O'Five Frederick, et al Petitioner's Attorney: Anthony J. DiPaula

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

DATE: 8 20 91

Ten O'Five Frederick, Inc. 4047 Ridge Road Westminster, MD 21157

Case Number: 92-4-SPH SEC Frederick and Locust Roads 1005 Frederick Road 1st Election District - 1st Councilmanic Petitioner(s): Ten O'Five Frederick, Inc. HEARING: MONDAY, SEPTEMBER 16, 1991 at 11:00 a.m.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND

cc: Boozer/DiPaula

Baltimore County Government Fire Department

700 East Joppa Road Suite 901 Towson, MD 21204-5500

(301) 887-4500

JULY 31, 1991

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204

RE: Property Owner:

TEN C'FIVE FREDERICK, INC.

Location: #1005 FREDERICK ROAD Zoning Agenda: JULY 16, 1991 Item No.: 4

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Special Inspection Division

8/191 0

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: August 1, 1991 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for July 16, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 477, 510, 1, 2, 5, and 8.

For Item 4, the previous County Review Group comments are still applicable.

> ROBERT W. BOWLING, P.E. Chief Developers Engineering Division

RWB:s

BURFAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

Date: August 28, 1991

TO: Mr. Arnold Jablon, Director Office of Zoning Administration and Development Management

FROM: Rahee J. Famili SUBJECT: Z. A. C. comments

Z. A. C. MEETING DATE: July 16, 1991 ITEM NUMBER: 4

Please see the CRG comments for this site.

RJF:bza

Rock delar

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director

DATE: August 15, 1991 Zoning Administration and Development Management

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Ten O'Five Frederick, Inc., Item No. 4

In reference to the applicant's request, staff offers the following comments.

This project received CRG approval on May 25, 1988. The subject plan approval expired after May 25, 1991. Subsequent to the original approval, the R.O. regulations changed pursuant to Bill No. 151-88.

A copy of a memo dated May 9, 1991 to the Bureau of Public Services from the Office of Planning and Zoning Current Planning Division outlines several concerns this office has regarding this subject property. Until such time as these issues are addressed in a satisfactory manner, the Office of Planning and Zoning cannot support the applicant's request. Attached please find a copy of the May 9, 1991 comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat

ITEM4/ZAC1

CATONSVILLE 2000, INC.

Thomas E. Booth President

Suite #203

Henry Kxthanhury Vice President Richard W. Decker

Jomes W. Mohler

Thomas E. Booth

Joseph E. Chilcoat Edwin C. Cogswell Richard W. Decker Michael L. DeLuca Herbert J. Derwart Nan Florence William Holley C. Victor McFarland Fran Medicus James W. Mohler Louis Morsberger Paul Stack Kevin Sippel

Jean Walsh **STANDING** COMMITTEE

LAND USE PLANNING Paul E. Stock TRAFFIC & PARKING Thomas E. Booth STREETCAPE & **ARCHITECTURE**

Fran Medicus RESOURCE MATERIALS

Safatan Xarmyi XXX ADVISOR TO THE BOARD

First District Planner

"Working For A Better Catonsville Community" c/o 2 West Rolling Crossroads Catonsville, Maryland 21228 (301) 747-2900

Ms. Ann M. Nastarowicz

May 31, 1991

Deputy Zoning Commissioner for Baltimore County 111 W. Chesapeake Avenue Towson, Maryland 21204 Re: SE/corner Locust Drive and

Frederick Road 1005 Frederick Road Case No. 89-116-XA

Dear Ms. Nastarowicz:

The above-referenced issue was discussed at our May 21, 1991 Board meeting. After some discussion, a motion passed to oppose the request of the petitioners to extend the special exception which was granted on June 21, 1989 and later amended July 12. 1989.

Please continue to notify us of any changes and, most importantly, please notify us of the hearing date.

Sincerely, Jame worth James W. Mohles Secretary JWM/lam

CAT2000#3

e: Mr. Joel C. Kaufman Mr. Kenneth Holniker Mr. Anthony J. DiPaula, Esq. Mr. Thomas Booth

President

Jean Walsh Treasurer

> Secretary DIRECTORS Joseph E. Chilcoat Edwin C. Cogswell

Herbert J. Derwart Nan Florence William Holley . Victor McFarland Fran Medicus James W. Mohler Louis Morsberger Paul Stack Jean Walsh Stephen W. Whalen, Jr.

TRAFFIC & PARKING Thomas E. Booth Chairman

Fran Medicus Chairwoman PUBLIC RELATIONS

LDVISOR TO BOARD William Hughey
1st District Planner

CATONSVILLE 2000, INC. "Working For A Better Catonsville Community"

Thomas E. Booth

Vice President Richard W. Decker James W. Mohler

Thomas E. Booth

Richard W. Decker

STANDING COMMITTEE AND USE PLANNING

Chairman

STREETSCAPE & ARCHITECTURE

Nan Florence Chairwoman

c/o 2 West Rolling Crossroads Suite #203 Catonsville, Maryland 21228 (301) 747-2900

CATONSVILLE 2000, INC. BOARD MEETING HELD SEPTEMBER 3, 1991 MEETING MINUTES

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE MEMORANDUM

Office of Planning and Zoning (Current Planning)

The subject plan will expire and become invalid subsequent to May 25, 1991.

The Office of Planning and Zoning cannot recommend an extension of the

County Code: therefore, a new County Review Group (CRG) meeting will be

required for the office portion of the site. In addition to a number of

architectural and design guidelines as expressed in the Catonsville Plan

adopted by the Baltimore County Planning Board on April 18, 1991. A new

County Council Bill No. 151-88, Residential Office Regulations (effective

Any future processing of this development shall be in accordance with the

requirements including, but not limited to the Catonsville Plan, County

Council Bill No. 26-88, Parking Regulations (effective May 26, 1988),

November 27, 1988) and County Council Resolution No. 56-90, Baltimore

1. In determining the appropriateness of this plan, Class B office

buildings are subject to compliance with Section 22-104 of the

Baltimore County Development Regulations. Elevation drawings should

In accordance with Section 22-104 of the Baltimore County Development

siltation, and safety, convenience, and amenity for the neighborhoods.

In determining the appropriateness of Class B office buildings, design

be included with the revised plan incorporating all of the design

Regulations, Class B office buildings shall be appropriate to the specific circumstances of the site taking into account surrounding uses, tree preservation, protection of watercourses from erosion and

elements of proposed buildings shall be evaluated in relation to

CRG meeting is necessary to fulfill all newly established County

County Landscape Manual (effective November 1, 1991).

elements outlined in Section 22-104.

existing adjacent or surrounding buildings.

site deficiencies, office development of this property will be subject to

entire subject plan in accordance with Section 22-62(b) of the Baltimore

DATE: May 9, 1991

Susan Wimbley

SUBJECT: Frederick Road - 1005

District: 1C1

Project: 88054

CRG Plan Refinement Review

Minor Subdivision Review

following:

CRG Plan Review (Meeting Waived)

CRG Non-Material Amendment Review

Panhandle Minor CRG Plan Review

CRG Plan Approval Extension Review: XX

Bureau of Public Services

The meeting was held at Catonsville Professional Center, Suite #250. The meeting was called to order by Tom Booth at 7:25 p.m. Those members present were Tom Booth, Nan Florence, Richard Decker, Ed Cogswell, Fran Medicus, Jim Mohler, Joe Chilcoat, Steve Whalen and Bill Hughey.

The minutes of the Board meeting held July 17, 1991 were approved as

Treasurer's report by Richard Decker. Richard reported \$1,696.65 in the bank as of 8-19-91 (copy of report enclosed).

Mr. Landis was accepted as a non-voting member.

Fran Medicus requested a list of merchants that paid last year but have not paid this year. Jim Mohler is to supply her with this list.

Richard Decker suggested that we put together a newsletter with up-to-date

A motion by Fran Medicus and seconded by Nan Florence. A newsletter will be distributed by Fran Medicus informing the merehants and professionals about the progress of the Catonsville Plan and to announce a meeting which would establish subcommittee captains that would implement the Catonsville Plan in the Village. The motion passed. We agreed to have this meeting jointly with the Greater Catonsville Chamber of Commerce, hopefully at their October 29th lunch. The newsletter is to be compiled by Richard Decker and Steve Whalen.

EVERYONE! PLEASE SUBMIT INFO AND IDEAS TO RICHARD OR STEVE.

Further discussions of make up of the executive committee led us to. leave as voted upon in previous meeting.

LAND USE

·Closed Hardees - Bill Hughey has met with the Morsbergers. The Planning Office will do a plan which will include a rear entrance/exit for the Revenue lot.

·303 Frederick Road - on July 26, 1991 the County Board of Appeals ordered that the petition for reclassification of the .27 acre from DR5.5 to RO be granted. There were four conditions attached to the approval.

The following additional information concerning the proposed Class B office building must be submitted on the revised plan: height, bulk and general massing, major divisions of the facade, window-wall relationships, roof treatment, materials, colors and textures of the building, general architectural character, scale, stylistic features, relation to the street and proposed exterior lighting.

- 2. A schematic landscape plan must be submitted for the plan to be considered for CRG approval. The Office of Planning and Zoning prefers and encourages that landscape plans be prepared independent of the CRG site plan; however, a combined CRG Site Plan/Schematic Landscape Plan is acceptable for CRG purposes. A final Landscape Plan, approved by the Office of Planning and Zoning is required prior to the issuance of grading or building permits.
- o A minimum ten (10) foot wide planting area shall be provided along all property lines which abut residential zones, premises or public
- o Screening of commercial, office, industrial and public development from adjacent residentially zoned or used property shall be required. A minimum ten (10) foot wide area shall be provided to accommodate the required planting.
- o Seven percent (7%) of all surface parking lot areas shall be reserved for landscaping at the rate of one planting unit per twelve (12) parking spaces. A minimum of 75% of these planting units shall be major trees. The 7% requirement must be calculated and graphically illustrated on the plan.
- 3. Section 409.8 of the Baltimore County Zoning Regulations requires that any fixture used to illuminate any parking facility shall be so arranged as to reflect the light away from residential lots and public streets. Light standards shall also be protected from vehicular traffic by curbing and/or landscaping.
- 4. In accordance with Section 102.6 of the Baltimore County Zoning Regulations, the proposed plan for vehicular access for any commercial; industrial, or apartment development shall be approved by the Office of Planning and Zoning and Department of Public Works. To satisfy this requirement, the following changes will be necessary:

o The parking layout must be redesigned to provide proper turnaround

In conclusion, the residential portion of this plan may be extended and must be processed to protect the developer's ability to construct residential dwellings on Lots 2 and 3. Lot 1, the office portion of this site, will require a new CRG plan to be processed in accordance with the above regulations.

JVM:cab

A: FREDROAD. TXT

CATONSVILLE 2000, INC.

"Working For A Better Catonsville Community" OFFICERS

fhomas R. Booth President

Jean Walsh Vice President Richard W. Decker

Treasurer James W. Mohler

Secretary DIRECTOR

Thomas E. Booth Joseph E. Chilcoat Edwin C. Cogswell Richard W. Decker Herbert J. Derwart Nan Florence William Hollev

C. Victor McFarland

Fran Medicus James W. Mohler Louis Morsberge Paul Stack Jean Walsh Stephen W. Whalen, Jr.

COMMITTEE COMMITTEE LAND USE PLANNING Paul R. Stack

Chairman TRAFFIC & PARKING Thomas E. Booth Chairman

STREETSCAPE & ARCHITECTURE Fran Medieus Chairwoman

PUBLIC RELATIONS Nan Florence Chairwoman

> **ADVISOR TO BOARD** 1st District Planner

Suite #203 Catonsville, Maryland 21228 (301) 747-2900

c/o 2 W. Rolling Crossroads

September 10, 1991

Mr. Arnold Jablon Director of Zoning Administration and Development Management Baltimore County Office Bulding 111 West Chesapeake Avenue Towson, Maryland 21204

Re: 1005 Frederick Road Case #92-4-8.P.H.

Dear Mr. Jablon:

Tuesday, September 3, 1991, the Board of Directors of the Catonsville 2000, Inc., met. At the meeting we discussed a issue that we have been involved with since 1988. Our organization has continued to follow the progress of this site. We have had many discussions with the owners, the Post Office and a number of neighbors. A letter dated May 31, 1991, was written to Ms. Ann Nastarowicz, Deputy Zoning Commissioner, (copy enclosed), opposing the request of the petitioners to extend the special exception in Case No. 89-116-XA.

At our board meeting of September 3, 1991 the Board voted unanimously to support Baltimore County CRG in its DENIAL of the

Sincerely,

James W. Mohler

Secretary

JWM:pe Cat2000-03

CC: Mr. Thomas E. Booth, President Mr. Joel C. Kaufman Mr. John A. Cook Ms. Phyllis Cole Friedman, Esquire

Mr. Thomas Anderson Mr. J. Robert Haines

ZONING OFFICE

OFFICERS

Michael L. DeLuca President Richard W. Decker Vice President

William Holley Treasurer Stephen W. Whalen, Jr.

Secretary

DIRECTORS

Thomas E. Booth
Richard W. Decker
Michael L. DeLuca
William Holley
Berchie Manley
Fran Medicus
Harry McGuirk
James W. Mohler
Louis Morsberger
Craig O'Donnell
Paul Stack
Henry Stansbury
Jean Walsh
Stephen W. Whalen, Jr.

STANDING COMMITTEES LAND USE PLANNING

Henry Stansbury

Chairman

TRAFFIC & PARKING

Harry McGuirk

Chairman

STREETSCAPE &

ARCHITECTURE

Fran Medicus

Chairwoman

RESOURCE MATERIALS

Stephen W. Whalen, Jr. Chairman

ADVISOR TO THE BOARD
William Huey
First District Planner
Baltimore County
Office of Community Planning

"Working For A Better Catonsville Community"

Writer's Phone #: 747-2900
2 W. Rollin

747-2900
2 W. Rolling Crossroads
Suite #203
Catonsville, Maryland 21228

September 27, 1988

To Whom It May Conern:

Please be advised that, at a meeting of the Board of Directors of Catonsville 2000, Inc., held Wednesday, September 14, 1988, the Board proposed, considered and unanimously passed the following resolution and authorization, a quorum being present.

"Any one or more of the following Board members shall be and is hereby authorized to represent the position of Catonsville 2000, Inc. to any planning, review or zoning board or commissioner or appeals board of Baltimore County, including representation at any CRG meeting, variance, special exception or special hearing, or any appeal therof, on any issue involving Catonsville 2000's designated study area of postal zip code 21228 (Catonsville), south of Baltimore National Pike:

Jean Walsh Fran Medicus Thomas Booth James Mohler"

Entered into the minutes of the Board meeting of September 14, 1988, and hereby certifed to be true and correct on the date first written above:

est: Willin William (Stephen W. Whalen, Jr. Corporate Secretary

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: August 15, 1991

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

Office of Planning and Zoning

92-4-564SUBJECT: Ten O'Five Frederick, Inc., Item No. 4

In reference to the applicant's request, staff offers the

This project received CRG approval on May 25, 1988. The subject plan approval expired after May 25, 1991. Subsequent to the original approval, the R.O. regulations changed pursuant to Bill No. 151-88.

A copy of a memo dated May 9, 1991 to the Bureau of Public Services from the Office of Planning and Zoning Current Planning Division outlines several concerns this office has regarding this subject property. Until such time as these issues are addressed in a subject property. Until such time as these issues are addressed in a subject property anner, the Office of Planning and Zoning cannot support satisfactory manner, the Office of Planning and Zoning cannot support the applicant's request. Attached please find a copy of the May 9, 1991 comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/pat

PK/JL/pat ITEM4/ZAC1

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PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

Allum Somer f. vernon Borzer AH. For petitioner	ADDRESS 614 BOSLOYANE
F. VERNON BOVER	Touson and 21204
AH. For petitioner	

1005 FREDRICK RD

S/O SKETCH FOR

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PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
JOHN A. COOK	8 LOCUST DR 21728
SALLY B. COOK	8 Locust-DR. 21228
FloRence E. ROTAN	6 San Ford Ave 21228
- SCA Schmale	15 Locust Drive 21228
THOMASH HODERSEN	10 LOCUST DRIVE 21228
-Ames W Mobiler	2 10 Rolling Cares Roads Sett 203
for Colournite 2000 In	BALTIMEN MA 21228
	

1005 FREDERICK ROAD W-89-242

C.R.G. Waiver Extension
Plan Date: 2/9/90
Comments Due: 5/21/91
Comments Date: 5/20/91



The Deputy Zoning Commissioner has written an Order dated 5/15/91 requiring that a Special Hearing be filed by the petitioner in Zoning Case #89-116-XA to determine the appropriateness of extending the special exception granted 6/21/89. (A copy of this new Order is attached.) Final zoning approvals are subject to the outcome of this special public hearing and this must be noted on the plan as part of the zoning history.

Zoning will approve this C.R.G. extension with the clear understanding that the submitted extension plan is identical to the First Amended C.R.G. Plan approved 11/16/89, under waiver #W-89-242 and is subject to the C.R.G. waiver comments from this Office and any other previous C.R.G comments which may not have been addressed. (Copies attached.)

Final zoning approval is contingent first, upon all plan comments being addressed on the C.R.G. plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.

Any requests for further information from the Zoning Office must include a reference to the waiver #W-89-242 and written correspondence or revised plans must be accompanied by a copy of these comments.

JOHN L. LEWIS
PLANNER II

JLL:scj

cc: Current Planning
Zoning File - #89-116-XA
Waiver File

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